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CLERK, U.S. DISTRICT COLIN

UNITED STATES DISTRICT COURT

8 CENTRAL DISTRICT OF CALIFORNIA 9 10 Case No. 08-0/830 M UNITED STATES OF AMERICA, 11 Plaintiff, 12 ORDER OF DETENTION vs. 13 14 Adrian Bornard AcosTA Defendant. 16 17 Ι 1.8 (on motion of the Government in a case allegedly 19 involving: 20 () a crime of violence. 21 offense with maximum sentence life 2. (_) an ...22 imprisonment or death. 23 a narcotics or controlled substance offense with 24 maximum sentence of ten or more years. 25 () a felony - where defendant convicted of two or

more prior offenses described above.

1	B. () On motion () by the Government/ () on Court's own
2	motion, in a case allegedly involving:
3	() On the further allegation by the Government of:
4	1. (+ a serious risk defendant will flee.
5	2. () a serious risk defendant will:
6	a. () obstruct or attempt to obstruct justice.
7	b. () threaten, injure or intimidate a prospective
8	witness or juror, or attempt to do so.
9	C. The Government (Υ is/ () is not entitled to a rebuttable
LO	presumption that no condition or combination of conditions will
11	reasonably assure defendant's appearance as required and the
L2	safety or any person or the community.
13	
14	. II
15	The Court finds that no condition or combination of conditions
16	will reasonably assure:
17	1. (') the appearance of defendant as required.
18	() and/or
19	 () the safety of any person or the community.
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21	III
22-	The Court has considered:
23	A. the nature and circumstances of the offenses;
24	B. the weight of evidence against the defendant;
25	C. the history and characteristics of the defendant; and
26	D. the nature and seriousness of the danger to any person or
27	the community.
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1	IV
2	The Court has considered all the evidence adduced at the hearing
3	and the arguments and/or statements of counsel.
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5	V
6	The Court bases the foregoing finding(s) on the following:
7	A. (1) Flight risk: No resuces for bail; por valations
8	of prefer court orders; incentive to flee, not sufficiently
9	counterbulanced by any other factors; havel to Mexico
10	0 0
11	B. () Danger:
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15	C. () <u>See also</u> Pretrial Services Report/recommendation.
16	D. () Defendant has not rebutted by sufficient evidence to
17	the contrary the presumption provided by statute.
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19	VI
20	A. The Court finds that a serious risk exists that defendant
21	will:
22	1. (-) obstruct or attempt to obstruct justice.
23	2. () threaten, injure or intimidate a witness/juror.
24	3. () attempt to threaten, injure or intimidate a
25	witness/ juror.
26	B. The Court bases the foregoing finding(s) on the following:
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() See also Pretrial Services Report/recommendation. 1 2 VI 3 IT IS THEREFORE ORDERED that defendant be detained prior to 4 trial. 5 IT IS FURTHER ORDERED that defendant be committed to the 6 В. custody of the Attorney General for confinement in a corrections 7 facility separate, to the extent practicable, from persons 8 9 awaiting or serving sentences or being held in custody pending appeal. 10 IT IS FURTHER ORDERED that defendant be afforded reasonable 11 opportunity for private consultation with counsel. 12 IT IS FURTHER ORDERED that, on order of a Court of the 13 United States or on request of any attorney for the Government, 14 15 the person in charge of the corrections facility in which defendant is confined deliver defendant to a United States 16 marshal for the purpose of an appearance in connection with a 17 court proceeding. 18 19 8/8/08 Dated: 20 21 22 UNITED STATES MAGISTRATE JUDGE 23 24 25 26 27

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